

REMARKS

This paper is a response to the notice mailed March 13, 2003 indicating that an improper request for RCE was made that was not accompanied by a submission. The request was made as a CPA under 37 CFR 1.53(d) on February 28, 2003 because it was an application originally filed on September 11, 1997. The CPA has been treated as an RCE and a submission is required.

A preliminary amendment was filed on March 14, 2003 for consideration as a submission with the continuation. No additional fees were believed due when the preliminary amendment was filed on March 14, 2003. However if an extension of time was required on March 14, 2003 to file the preliminary than a two month extension of time would cost an additional \$150.00. It is believed that a three-month extension is not required because the RCE was complete on March 14, 2003 when the preliminary amendment was filed. A copy of the notice is enclosed as required. The Commissioner is authorized to charge any additional extension of time fee to deposit account no. 12-2147.

CONCLUSION

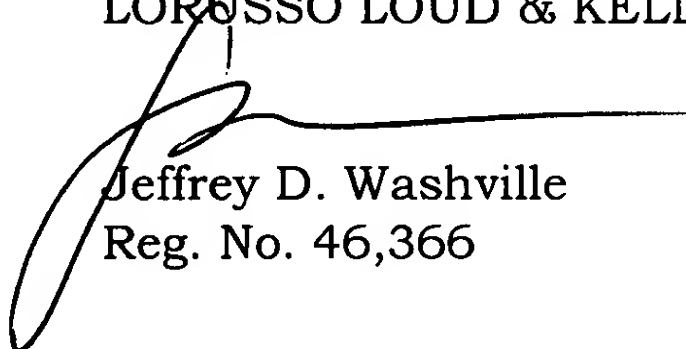
The applicant respectfully requests that the constructive RCE be treated as proper with the preliminary amendment filed on March 14, 2003. Feel free to call collect with any questions regarding this submission

Dated April 8, 2003

Respectfully submitted,

LORUSSO LOUD & KELLY LLP

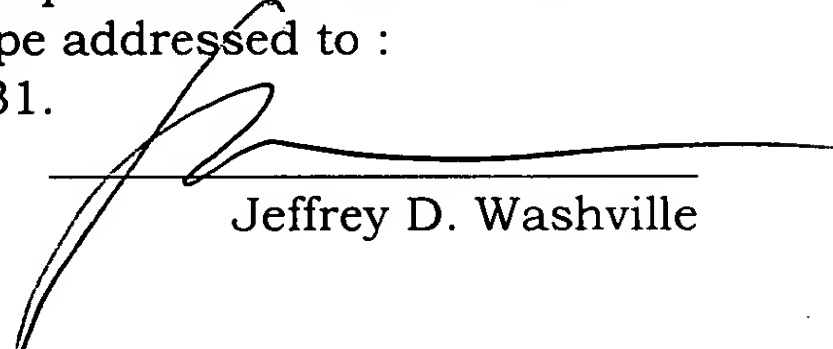
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Certification Under 37 CFR § 1.8

I hereby certify that this Response is being deposited with the United States Postal Service on 8 APR 2003, in an envelope addressed to :
Commissioner for Patents, Washington, D.C. 20231.



Jeffrey D. Washville